

MAR 25 2011

JULIA C. DUDLEY, CLERK  
BY: *James C. Turk*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

KIASI POWELL,  
Petitioner,

v.

WARDEN BRIAN WATSON,  
Respondent.

) Civil Action No. 7:11-cv-00139  
)  
)  
)

) **ORDER**  
)

) By: Hon. James C. Turk  
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that petitioner's petition for a writ of habeas corpus is **DISMISSED without prejudice**, pursuant to Rule 4 of the Rules Governing § 2254 Cases; all pending motions are **DENIED as moot**; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 25<sup>th</sup> day of March, 2011.

*James C. Turk*  
\_\_\_\_\_  
Senior United States District Judge